

1893-053
Lee Co.

Chancery Causes: C. C. Worley & wife & vs. John C. Daugherty &

Hobbs, Loyd

Ch-Estate Dispute
T-Property

Will: 1875 : Robinson Daugherty : Lee County

To the Hon. W. S. K. Morrison Judge of the
Circuit Court of Lee County Virginia.

Humblly Complaining your orators and
Oratrices, C. C. Worley & Lydia Worley his
wife, W. S. G. Hobbs & Hetta Hobbs his wife
would respectfully represent, that
Robinson Daugherty, the father of the
female complainants, departed this life
in said County on the day of 1875,
after first having made and published
his last will and testament, by which
he disposed of a valuable real & person-
al estate. Said will was, after the testa-
tor's death, duly admitted to probate in
the County Court of said County, a copy
of which is herewith filed as part hereof
marked "Exhibit A". It will be seen by
reference to said exhibit A, that the testator
by his said last will and testament be-
queathed & devised ^{all his personal & real estate} to his five sons, to wit:
Martin L Daugherty, John C Daugherty, Rubin
Daugherty, James M Daugherty and Levi
Daugherty, with the positive understanding
that they should pay all his just debts
and further that they should pay to his
three daughters, as they should become
of age, to wit: - Lavinia Daugherty, Hetta
Daugherty, now ~~Hobbs~~ ^{Hobbs} ~~Worley~~, and one of your

honor's Complainants, and Lydia Daugherty
now Worley, and the other female Complain-
ant, the sum of two hundred dollars each.
Complainants will further represent and
shew unto your honor that your Complain-
ant Hetta Hobbs arrived at the age of 21
years on the 1st day of May 1884, but
has only received on her said legacy
the sum of \$140⁰⁰, that your Complainant
Lydia Worley was 21 years of age Nov
6th 1891. and has received nothing on her
legacy under said will; that they are
advised that the sums bequeathed them
respectively, by said testator, is a charge
upon the real estate devised by him
to his said sons, and that they have
the right to have said real estate, or a
sufficiency thereof, sold to pay said lega-
cies; that the said real estate consists of
a valuable farm in said County, on Station
Creek, adjoining the lands of Dr. Silas
Shellhorn & others, containing ~~200~~ acres,
more or less, and is now owned by the
^{said} John C. Daugherty, James M. Daugherty and
A. L. Loyd, the said Loyd probably having
purchased the interest of Rulin Daugherty.
The object therefore of this bill is to recover
from the said John C. Daugherty, James M.

Mineral

Miriam A. Loyd wife of
Daugherty & A. L. Loyd the respective sums
due the female Complainants on account
of said legacies, and if not otherwise paid
to have the same made a charge upon
said real estate. To this end your Complain-
ants make the said ^{Miriam A. Loyd} Daugherty
James M. Daugherty & A. L. Loyd the parties
defendants to this bill, and ask that they
answer the same on oath, and that on
a hearing a decree be rendered subjecting
said real estate to the payment of said
legacies, and for such other and further
relief as to your honor may seem meet.
May process issue directed &c. And your
Complainants will ever pray &c.

James W. Orr, p. g.

b 8.71
 A 15.00
 8 2.00
 \$ 25.71
 Estimate

C. C. Worley et als.
 vs Bill in Chy.

John C. Daugherty et als.
 1892 2nd Term Rules
 Bill filed Spaid
 on some of Defts
 " 1st March Rules Spaid
 Exd on acc Defts
 " + Decree nisi
 " 2nd March Rules Contd
 " 1st Apr. Rules Contd
 " 1st May " " "
 " 2 " " Devisi
 Caused + cause set
 for hearing by
 Plaintiff
 " June Decree for sale
 and Continued
 1893 June Term
 Decree final
 O.B. 480

C. C. Worley et als.

Plff's

against

In chy.

John C. Daugherty et als. Dfts

This Cause came on again to be heard upon the papers formerly read in the Cause, and it being admitted by Plff's Counsel that the amounts decreed in this Cause to the female plaintiffs, together with the costs of this suit have been fully paid without a sale of the real estate, it is ordered that the Cause be stricken from the docket.

L. C. Worley et als.

vs { Final Order

John C. Daugherty et
als

Entered on Chy B O

Page 480,

June 7, 1893

John A. Hyatt

Enter this Order

~~H. S. K. M.~~

June 7, 1893,

C. C. Worley + others, Plffs }
against } In Chancery.
John C Daugherty et als. Defs

This cause came on to be heard upon the bill of plaintiffs and exhibit there-with & the process duly executed on the defendants, and was argued by Counsel. On consideration whereof, and it appearing to the Court that the Cause has been regularly matured at rules and set for hearing by the plaintiffs, and the defendants ^{the bill is taken for confessed against them &} failing to appear, it is adjudged, ordered and decreed that the plaintiffs Lydia Worley recover against the defendants John C Daugherty, James M Daugherty & Minerva A Loyd the sum of \$200⁰⁰, with legal interest thereon from the 6th day of November 1871, until paid; and that Hetta Hobbs recover from the same parties the like sum of \$200⁰⁰ with interest thereon from the 1st day of May 1884 until paid, subject to a credit of \$41.40 November 27th 1884, \$51.50 January 16th 1885 and \$51.50 January 16th 1885, and that these sums are liens upon the land in the bill & exhibit "A" mentioned, And it is further adjudged, ordered and decreed that the plaintiffs recover from the said defendants their costs by them in this behalf

expended, and regardless the above sums
and costs are paid within 20 days from
the adjournment of this Court, then J. W.
Orr who is hereby appointed a Commis-
sioner for the purpose will proceed to sell
the said land or so much thereof as will
be necessary to pay and satisfy the above
recoveries and costs of this suit and ex-
pense of sale, for cash in hand, having
first advertised said sale, for at least
thirty days, by written advertisements
posted at the front door of the Court house
of this County and in the neighborhood
of said land, said Commissioner will,
before selling, execute bond before the
clerk of this Court in the sum of \$400.00
conditioned according to law, and will
report his action to this Court. And the Cause
is continued.

C. C. Warley et al.

vs } Decree
}

John L. Danforth et al.

Continued page

2407, in ch. 4, 203.

June 8th 1892

J. P. K. Hymn

Twenty dollars part
of this decree & the
legal fee of \$15.00,
belongs to James W. Orr
for P. O. fees.

June 9th 1892.
James W. Orr.

Enter this decree.

W. A. K. M.

June 9th 1892.

I, Robinson Daugherty of the county
of Lee and State of Virginia being
of sound mind and conscious of
the declining state of my health do
herein publish and make this my
last will, and testament, hereby
revoking all others made by me
heretofore viz: I do hereby as witnessed,
by my signature below, signed in
the presence of the witnesses thereto
annexed, will and bequeath to my
five sons to wit: Martin L. Daugherty,
John C. Daugherty, Reuben Daugherty,
James M. Daugherty, and Levi Daugherty,
all of my real and personal property
which I now possess, to be equitably
divided between them when the
youngest son arrives at the age of
twenty one years with the positive
understanding that they shall at
the earliest day practicable pay all
my just debts, and further, that
they shall pay to my three daughters
(as they become of age) to wit: Lavinia
Daugherty, Hetta Daugherty & Lydia
Daugherty the sum of two hundred
dollars each. And it is further
my last will and testament
that my wife Lucinda shall

and possess her dower interest
including the mansion house, and
land surrounding during her
widowhood, my reasons for so
rejecting from this my last will
my son David Daugherty & my
daughter Mary Daugherty (now
Mary Stewart) is that they have
heretofore received as I deem it
a proportionate part of my estate
taking all surrounding circumstances
into consideration. Witness my hand
and seal this 17th day of Jan 1875.

Robinson Daugherty

Test & Seal.

L. P. Lawrence Clerk.

L. P. Lawrence

Witnessed.

At a Circuit Court begun and
held for Lee County at the Court
house thereof on Thursday the 25th
day of Aug 1875.

The last will and Testament of
Robinson Daugherty decd. was this
day produced in Court and proved
by the oath of L. P. Lawrence & M.
Lawrence two of the judges.

witnesses thereto and is ordered to
be accepted.

Attest, John G. Sullivan, J. C.
Copy of the Record
Attest, John G. Sullivan, J. C.

Robinson Campbell
Copy of Last Will

11

Fee for copy 50

Hettie Mahles - May 1st 1884 - \$200 -

1/3 to John C. Daugherty	66.66 2/3
Int to Aug 15th 1888 -	2.83 1/3
Cr " 15th 1888 -	<u>69.50</u>
	51.50
Int to Aug 6th 1892 -	<u>18.00</u>
	8.20
	<u>\$26.20</u>

1/3 to James M. Daugherty	\$66.66 2/3
Int to Aug 15th 1888 -	2.83 1/3
Cr " 15th 1888 -	<u>69.50</u>
	51.50
Int to Aug 6th 1892 -	<u>18.00</u>
	8.20
	<u>\$26.20</u>

1/3 to Rufin S. Daugherty or Loyd	66.66 2/3
Int to Nov 27/84	2.83 1/3
Cr Nov 27/84	<u>68.96</u>
	41.40
Int to Aug 6/92	<u>27.56</u>
	72.70
	<u>40.26</u>
Total	<u>72.86</u>

Lydia Warley - Nov 6th 1891 - \$200.00

1/3 to John C. Daugherty	66.66 2/3
Int to Aug 6th 1892	3.00
	<u>69.66 2/3</u>

1/3 to James M. Daugherty	66.66 2/3
Int to Dec 23rd 1891 -	.50
Cr " " "	<u>67.16 2/3</u>
	58.50
Int to Aug 6/92	<u>11.66 2/3</u>
	.47 1/3
	<u>\$12.10</u>

1/3 to Rufin S. Daugherty or Loyd	66.66 2/3
Int to Aug 6/92	3.50
	<u>69.66 2/3</u>
	69.66 2/3
Total	<u>\$737.43</u>

John C. Daugherty to Hettie	\$26.20
Same " Lydia	69.66 2/3
1/3 Costs of suit	<u>95.86 2/3</u>
	7.57 1/3
	<u>\$103.43 1/3</u>

(over)

to B. Worley & others
vs J. C. Daugherty

Collected from (Aug 6/92)
J. C. Daugherty \$14.23²/₃
James M. D. - 5.59
A. L. Loyd - 15.00
8 37.82²/₃

James M. Daugherty
for J. C. Daugherty

By J. C. Daugherty
for J. C. Daugherty
Costs Decr 26/92.
\$15.29

By J. C. Daugherty
for James M. D. - general
- ally Decr 26/92.
\$11.00

John C. is to settle
with B. Worley.
Jas M. D. on acc.
not in full.
June 3/93.

James M. Daugherty vs Nettie

Collected
12.10
7.57
Total \$19.67

\$26.20

Balance S. Daugherty or charged to J. C. 69.66²/₃
Served to Nettie - 40.26
1/2 costs 7.57
117.49²/₃

26.20
12.00
8.57
46.87

8.57
10.00
7.00
1.50
46.87

46.87
28
25
53

37.82
10.00
13.27
11.00
30

74.41
65.84
8.57

25.71
30.00
20.13
65.84

As soon as I will send
you the amount that
I received ~~from~~ that was
willed to me by my father
I shall send you 100 and 52
dollars and a quarter
the balance you can pay
to whomever you like

Henry Hobbs

Received of Henry Hobbs
the sum of 100 and 52
dollars in full of the amount
from John Hobbs Dec 26/92
H. Hobbs
mark

John C. Daugherty
The sum of 100 and 52
dollars from Henry Hobbs
Dec 26/92
H. Hobbs
mark

John C. Daugherty

Notice No. 12

Jan 26/92
John E. D.

\$26.20
7.57

\$33.77
14.23 3

19.54 3
5.25 - 3 Days

14.29 Cts added

By cash 15.29 Retained

Large Paper 20.00

2.77

1.50
1.50
1.50
1.50
1.50

7.50

2.30

2.70

2.70

.50

1.50

.50

5.00

10.00

32.90

1.50

47.95 -

40.26

8.57

48.83

47.95 -

1.88

A

18

14

18

36

3

4.3 20
816 70

40
120
38
220
320 3.3.20

25.71
2.00
 23.71
 37.82
7.88

14.59

15.59

26.20
10.00

16.20

5.25 = days

10.95

12.85

22.85

26.20

8.57

34.77

74.33

20.64

5.25

5.29

26.20

10.00

16.20

5.25

10.95

James

To

26.20

8.57

34.77

8.59

26.18

17.00

9.18

12.38

21.53

14.70

10.28

10.00

38.20

Dec 26/92

To Holmes.
from John

\$10.95

9.18

20.13

to Mrs. Holmes
 to Mrs. Harlow

Calculation

Dec 26/92, Orr has collected.

37.82

15.29

11.00

10.00

Dec 26/92 74.11

Gets. 25.71

Dec - 20.00 -

Added 20.13 65.84

In hand 8.27

Dec 26/92

From John D. 26.20

Easton 26.20

Lloyd 20.26

Rec'd 72.66

Lloyd 32.95-

John 17.00

67.25-

Orr 20.13

Feb 10.00

75.33 75.33

Total due H 7.33

Dec 26/92.

Jan Wright hands 8.27

to be paid 7.33

7.33

Due from H

8.27

8.27

1893 Jan 3rd.

~~From ~~James A. Doughty~~~~

" John C Doughty

~~Just over~~

" 1.00 6/12

69.66

Int to Jan 3rd 1893

1.66

or to Wadsworth

~~71.33~~

26.00

45.33

Corr Call L

37.82

15.29

11.00

10.00

1.30

74.41

65.84

8.57

7.33

1.24

7.33

.882

71 - 6.45-

8.57 In Corb Lane

6.45- For 21.

2.12 For 11.

1.00 Road Claim

2.12

Hettie Hobbs has
been paid by
Rubin S Dauphiny
Nov. 27th 1884

Lydian Worley.
from John C. D.

~~11~~ 1.40

+ from John C. D. -
Jan'y 16th 1885 - 51.50

Martin L. died. 1876.

92.90
J. C. D. 7.00 +
99.90

Levi died.

+ from Jas M. D. -
Jan'y 16th 1885 - 57.50

+ Decr 23/91 157.40
7.75

Lydian Worley.
From James M. D. -
Decr 23th 1891.

\$56.00

from John C. 5.00 +
Feb 13th 1892 -
61.00

pending in said Circuit Court wherein I
am plaintiff and you are defendants.
and if from any cause the taking of said
depositions is not commenced on that day,
or if commenced is not completed on that
day, the taking of the same will be adjourned
from day to day and from place to place
until completed.

Dec 7th 1889.

Respectfully,

Maria Williams,

by Counsel.

12/11/89

15-33 1/2

105-33 1/2
105-33 1/2
105-33 1/2
105-33 1/2

105-33 1/2
105-33 1/2
105-33 1/2
105-33 1/2

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

Minerva A. Loyds

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in *March* next, being rule day to answer a bill in Chancery exhibited in our said Court against *her & others* by *H. C. Worley and*

Lydia Worley his wife, W. S. & Hobbs
and Hetta Hobbs

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.
This *6th* day of *February* 18*92*, in the 11*th* year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

1 JMO

The Commonwealth of Virginia

To The Sheriff Of Lee County, Virginia:
C. C. Warley et al
We Command You to Summon

vs 3 Spain in Chey
3
Miner & A. Loyd & others

Lo 1st March 1892

Executed by delivering
an office copy

To appear at the Clerk's Office of the Court at the first Monday
next before the day to be named in the writ exhibited in our said Court
in

the 10th 1892

against

at 5 O'clock P.M.
L. M. Wade Deputy
for C. C. Flannery

and have been and were this writ. Witness, T. A. G. Hyatt, Clerk of said Court at the Court house
This _____ day of _____ 18 _____, in the 11 _____ year of the Commonwealth.

Clerk.

A Copy Teste

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

John C. Daugherty
James M. Daugherty and A. L. Loyd

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in *March* next, being rule day to answer a bill in Chancery exhibited in our said Court

against

them by *C. C. Warley and*
Lydia Warley his wife, U. S. H. Hobbs
and Hester Hobbs his wife

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *26th* day of *January* 18*92*, in the 11*6* year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

1 Mr. C

C. C. Worley et al

vs 3 J. P. M.
3 Chancery

John C. Daugherty et al

Lo 2 Feby. Rules 1892

Executed by
Declarer an officer
copy to John C.
Daugherty. and

A. L. Loyd and
James C. Daugherty
not being found
at their place of
abode I read and
explained the full
contents of this
summon to them
being over the age of six-
teen years.

this Feb 11th 1892
at 9 O. clock A.M.
L. M. Wade Deputy
for C. C. T. L. C.
S. L. C.